

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

DOROTHY MANZY,

Plaintiff,

V.

**MONTGOMERY HOUSING
AUTHORITY,**

Defendant.

CASE NO. 2:05-cv-395-ID-SRW

AFFIDAVIT OF CHARLES A. STEWART III

STATE OF ALABAMA)

MONTGOMERY COUNTY)

1. I am a partner in the law firm of Bradley Arant Rose & White LLP, counsel for Defendant Montgomery Housing Authority, in the above-captioned action. I submit this affidavit in support of the Defendant's proposed Bill of Costs, filed pursuant to the final judgment entered by this Court on April 21, 2006.

2. I am familiar with the payment of costs and expenses incurred by Defendant in the defense of this action. I certify that, to the best of my knowledge, the expenses described in the Bill of Costs were actually and reasonably incurred and, therefore, are properly taxable as costs.

3. Costs were incurred with the filing of the Defendants Notice of Removal in the amount of \$250.00.

4. Additional costs include the fees of the court reporters for "all or any part of the stenographic transcript necessarily obtained for use in the case." 28 U.S.C.A. § 1920(2). The phrase "stenographic transcript" includes a deposition. *United States v. Kolesar*, 313 F. 2d 835, 837-38 (5th Cir. 1963). Accordingly, the Defendant incurred costs with respect to the transcript of deposition of the Plaintiff, along with deposition exhibits costs. The cost of the deposition was \$593.45.

5. The Defendants incurred certain expenses for the cost of duplicating records in this case. The cost of the duplication of those records was \$121.04.

6. The total cost of the items described above and for which Defendants seek reimbursement pursuant to the Bill of Costs is \$964.49.



Charles A. Stewart, III (STE067)
Bradley Arant Rose & White LLP
Alabama Center for Commerce
401 Adams Avenue, Ste. 780
Montgomery, AL 36104
Telephone: (334) 956-7700
Facsimile: (334) 956-7701
Attorneys for Defendants
Murray Guard, Inc. and Tom Beach

Sworn to and subscribed before me on this the 27th day of April, 2006.



Notary Public

My Commission Expires:

9/18/06

[SEAL]

CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Norman Hurst, Jr., Esq.
462-A Sayre Street
Montgomery, AL 36104

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants: not applicable.

Respectfully submitted,

s/ Charles A. Stewart III

Charles A. Stewart III (STE067)
Bradley Arant Rose & White LLP
The Alabama Center for Commerce
401 Adams Avenue, Suite 780
Montgomery, AL 36104
Telephone: (334) 956-7700
Facsimile: (334) 956-7701
E-mail: cstewart@bradleyarant.com